

1-1 By: Shapiro S.B. No. 175
1-2 (In the Senate - Filed November 10, 2008; February 10, 2009,
1-3 read first time and referred to Committee on Higher Education;
1-4 March 9, 2009, reported favorably by the following vote: Yeas 4,
1-5 Nays 1; March 9, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to limitations on the automatic admission of undergraduate
1-9 students to general academic teaching institutions.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 51.803, Education Code, is amended by
1-12 amending Subsection (a) and adding Subsections (a-1) and (a-2) to
1-13 read as follows:

1-14 (a) Subject to Subsection (a-1), each ~~[Each]~~ general
1-15 academic teaching institution shall admit an applicant for
1-16 admission to the institution as an undergraduate student if the
1-17 applicant graduated with a grade point average in the top 10 percent
1-18 of the student's high school graduating class in one of the two
1-19 school years preceding the academic year for which the applicant is
1-20 applying for admission and:

1-21 (1) the applicant graduated from a public or private
1-22 high school in this state accredited by a generally recognized
1-23 accrediting organization or from a high school operated by the
1-24 United States Department of Defense;

1-25 (2) the applicant:

1-26 (A) successfully completed:

1-27 (i) at a public high school, the curriculum
1-28 requirements established under Section 28.025 for the recommended
1-29 or advanced high school program; or

1-30 (ii) at a high school to which Section
1-31 28.025 does not apply, a curriculum that is equivalent in content
1-32 and rigor to the recommended or advanced high school program; or

1-33 (B) satisfied ACT's College Readiness Benchmarks
1-34 on the ACT assessment applicable to the applicant or earned on the
1-35 SAT assessment a score of at least 1,500 out of 2,400 or the
1-36 equivalent; and

1-37 (3) if the applicant graduated from a high school
1-38 operated by the United States Department of Defense, the applicant
1-39 is a Texas resident under Section 54.052 or is entitled to pay
1-40 tuition fees at the rate provided for Texas residents under Section
1-41 54.058(d) for the term or semester to which admitted.

1-42 (a-1) A general academic teaching institution is not
1-43 required to admit under Subsection (a) more than 50 percent of the
1-44 institution's first-time resident undergraduate students in an
1-45 academic year. If the number of applicants who qualify for
1-46 automatic admission to a general academic teaching institution
1-47 under Subsection (a) exceeds 50 percent of the institution's
1-48 enrollment capacity designated for first-time resident
1-49 undergraduate students, the institution may elect to offer
1-50 admission to those applicants as provided by this subsection and
1-51 not as otherwise required by Subsection (a). If the institution
1-52 elects to offer admission under this subsection, the institution
1-53 shall offer admission to those applicants by percentile rank
1-54 according to graduating class standing based on grade point
1-55 average, beginning with the top percentile rank, until the
1-56 applicants qualified under Subsection (a) have been offered
1-57 admission in the number estimated in good faith by the institution
1-58 as sufficient to fill 50 percent of the institution's enrollment
1-59 capacity designated for first-time resident undergraduate
1-60 students, except that the institution must offer admission to all
1-61 applicants with the same percentile rank. The institution shall
1-62 consider any remaining applicants qualified for automatic
1-63 admission under Subsection (a) in the same manner as other
1-64 applicants for admission as first-time undergraduate students in

2-1 accordance with Section 51.805.

2-2 (a-2) In the manner prescribed by the Texas Education Agency
 2-3 and not later than April 15, a general academic teaching
 2-4 institution shall provide to each school district, for
 2-5 dissemination of the information to high school junior-level
 2-6 students and their parents, notice of which percentile ranks of
 2-7 high school senior-level students are anticipated by the
 2-8 institution to be automatically offered admission under Subsection
 2-9 (a-1) during the next school year if:

2-10 (1) the number of applicants to the institution during
 2-11 the current school year who qualify for automatic admission to the
 2-12 institution under Subsection (a) exceeds 50 percent of the
 2-13 institution's enrollment capacity designated for first-time
 2-14 resident undergraduate students; and

2-15 (2) the institution plans to offer admission under
 2-16 Subsection (a-1) during the next school year.

2-17 SECTION 2. Section 28.026, Education Code, is amended to
 2-18 read as follows:

2-19 Sec. 28.026. NOTICE OF AUTOMATIC COLLEGE ADMISSION. (a)
 2-20 The board of trustees of a school district shall require each high
 2-21 school in the district to post appropriate signs in each
 2-22 counselor's office, in each principal's office, and in each
 2-23 administrative building indicating the substance of Section 51.803
 2-24 regarding automatic college admission. To assist in the
 2-25 dissemination of this information, the school district shall:

2-26 (1) require that each high school counselor and class
 2-27 advisor be provided a detailed explanation of the substance of
 2-28 Section 51.803;

2-29 (2) provide each district student, at the time the
 2-30 student first registers for one or more classes required for high
 2-31 school graduation, with a written notification of the substance of
 2-32 Section 51.803;

2-33 (3) require that each high school counselor and senior
 2-34 class advisor explain to eligible students the substance of Section
 2-35 51.803; and

2-36 (4) [~~(3)~~] provide each eligible senior student under
 2-37 Section 51.803, at the commencement of a class's senior year, with a
 2-38 written notification of the student's eligibility with a detailed
 2-39 explanation of the substance of Section 51.803.

2-40 (b) The commissioner shall adopt forms to use in providing
 2-41 notice under Subsections (a)(2) and (4). In providing notice under
 2-42 Subsection (a)(2) or (4), a school district shall use the
 2-43 appropriate form adopted by the commissioner.

2-44 (c) The commissioner shall adopt procedures to ensure that,
 2-45 as soon as practicable after this subsection becomes law, each
 2-46 school district provides written notification of the substance of
 2-47 Section 51.803, as amended by the 81st Legislature, Regular
 2-48 Session, 2009, to each district student who, for the 2009-2010
 2-49 school year, registers for one or more courses required for high
 2-50 school graduation. The commissioner may adopt rules under this
 2-51 subsection in the manner provided by law for emergency rules. Each
 2-52 district shall comply with the procedures adopted by the
 2-53 commissioner under this subsection. This subsection expires
 2-54 September 1, 2010.

2-55 SECTION 3. The change in law made by this Act to Section
 2-56 51.803, Education Code, applies beginning with admissions to a
 2-57 general academic teaching institution for the 2010-2011 academic
 2-58 year. Admissions to a general academic teaching institution for an
 2-59 academic period before that academic year are governed by the law in
 2-60 effect immediately before the effective date of this Act, and the
 2-61 former law is continued in effect for that purpose.

2-62 SECTION 4. This Act takes effect immediately if it receives
 2-63 a vote of two-thirds of all the members elected to each house, as
 2-64 provided by Section 39, Article III, Texas Constitution. If this
 2-65 Act does not receive the vote necessary for immediate effect, this
 2-66 Act takes effect September 1, 2009.

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